



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
OFFICE OF THE GENERAL COUNSEL
Washington, D.C. 20570

September 14, 2018

Molly Dwyer, Clerk of Court
Office of the Clerk
U.S. Court of Appeals for the Ninth Circuit
P.O. Box 193939
San Francisco, CA 94119-3939

Re: *NLRB v. International Longshore
and Warehouse Union, Local 23*,
Docket No. 18-72501

Dear Clerk:

On September 12, 2018, the Court docketed the Board's application for summary entry of a judgment enforcing its order in the subject case. Shortly after the application was filed, Respondent's compliance with the Board's Order was achieved. Therefore, enclosed is a motion to dismiss the Board's application for enforcement of its order.

Very truly yours,

/s/ Linda Dreeben

Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, S.E.
Washington, D.C. 20570
Tel: (202) 273-2963

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No. 18-72501
v.	:	
	:	
INTERNATIONAL LONGSHORE AND	:	Board Case Nos.:
WAREHOUSE UNION, LOCAL 23	:	19-CB-175084
	:	19-CB-198689
Respondent	:	

UNOPPOSED MOTION TO DISMISS THE BOARD’S APPLICATION FOR
SUMMARY ENTRY OF A JUDGMENT ENFORCING AN ORDER OF
THE NATIONAL LABOR RELATIONS BOARD

To the Honorable, the Judges of the United States
Court of Appeals for the Ninth Circuit:

Pursuant to Federal Rule of Appellate Procedure 42(b), the National Labor Relations Board (“the Board”), by its Deputy Associate General Counsel, respectfully moves to dismiss, without prejudice, the Board’s application for enforcement in the above-captioned case, and show:

1. The Board’s application for summary entry of a judgment enforcing its order issued against International Longshore and Warehouse Union, Local 23 in the above-captioned case was docketed on September 12, 2018, No. 18-72501.

2. The Board is now satisfied that Respondent is fully complying with the Board’s order and has determined that there is no need for enforcement at this time.

3. Accordingly, the Board seeks to withdraw its application, without prejudice, each side to bear its own costs.

4. Opposing counsel, Robert H. Lavitt, has been contacted and states that they do not object to this motion to dismiss.

WHEREFORE, the Board requests that the Clerk enter an order dismissing without prejudice the above captioned case, each side to bear its own costs.

/s/ Linda Dreeben

Linda Dreeben

Deputy Associate General Counsel

National Labor Relations Board

1015 Half Street, S.E.

Washington, D.C. 20570

Dated in Washington, D.C.
this 14th day of September, 2018

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No. 18-72501
v.	:	
	:	
INTERNATIONAL LONGSHORE AND	:	Board Case Nos.:
WAREHOUSE UNION, LOCAL 23	:	19-CB-175084
	:	19-CB-198689
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2018, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. I further certify that the foregoing document was served on all those parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the addresses listed below:

Robert H. Lavitt, Attorney
Schwerin, Campbell, Barnard,
Iglitzin & Lavitt LLP
18 W. Mercer St., Ste. 400
Seattle, WA 98119-3971

/s/ Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
NATIONAL LABOR RELATIONS BOARD
1015 Half Street, S.E.
Washington, D.C. 20570
(202) 273-2960

Dated at Washington, D.C.
this 14th day of September, 2018

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No. 18-72501
v.	:	
	:	
INTERNATIONAL LONGSHORE AND	:	Board Case Nos.:
WAREHOUSE UNION, LOCAL 23	:	19-CB-175084
	:	19-CB-198689
Respondent	:	

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 27(d)(2), the Board certifies that this motion contains 201 words of proportionally-spaced, 14-point type, and the word processing system used was Microsoft Word 2010.

/s/ Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570
(202) 273-2960

Dated at Washington, D.C.
This 14th day of September, 2018